

Applicant or Patentee: Nicholas M. Dean, C. Frank Bennett, Brett P. Monia, Kenneth Draper, Kevin P. Anderson, Brenda F. Baker and David J. Ecker

Serial or Patent No.: PCT/US98/08798 **Attorney's Docket No.:** ISIS-3013

Date Filed or Issued: April 30, 1998

For: Oligonucleotides for Enhanced Bioavailability

STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(d) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

- ☐ the owner of the small business concern identified below.
- ☒ an official empowered to act on behalf of the concern identified below:

NAME OF CONCERN: ISIS Pharmaceuticals, Inc

ADDRESS OF CONCERN: 2292 Faraday Avenue, Carlsbad, California 92008

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that: (1) the number of employees of the concern, including those of its affiliates, does not exceed 500 persons; and (2) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the

- ☐ specification filed herewith, with title as listed above
- ☒ application identified above.
- ☐ patent number identified above.

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If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

***NOTE:** Separate statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: @@

ADDRESS: @@

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME: @@

ADDRESS: @@

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING B Lynne Parshall

TITLE OF PERSON SIGNING Executive Vice President & Chief Financial Officer

ADDRESS OF PERSON SIGNING 2292 Faraday Avenue, Carlsbad, California 92008

SIGNATURE

DATE

10/20/99